

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 24**

INTERNATIONAL SHIPPING AGENCY, INC.
AND MARINE TERMINAL SERVICES, INC.,
AND TRUCK TECH SERVICES, INC.

SINGLE EMPLOYER

and

INTERNATIONAL SHIPPING AGENCY, INC.
AND TRUCK TECH SERVICES, INC.

SINGLE EMPLOYER

and

UNION DE EMPLEADOS DE MUELLES
(UDEM), ILA 1901, AFL-CIO

Case: 24-CA-091723
24-CA-104185
24-CA-129846
12-CA-133042
12-CA-135453
12-CA-135704
12-CA-136480
12-CA-142493
12-CA-143597
12-CA-144073

JOINT MOTION FOR CONTINUANCE OF HEARING

**TO THE ADMINISTRATIVE LAW JUDGE
HONORABLE ROBERTA. RINGLER:**

COME NOW Respondents and the Charging Party, through their undersigned legal representations and most respectfully **STATE** and **PRAY** as follows:

1. On June 16, 2015, and over Respondents' objections, the Complaint in Cases 12-CA-133042, 12-CA-135453, 12-CA-135704, 12-CA-136480, 12-CA-142493, 12-CA-143597, and 12-CA-144073 were consolidated with the Complaint in cases No. 24-CA-091723, 24-CA-104185, and 24-CA-129846, to be heard on July 13, 2015.

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2. The above noted consolidation effectively included seven additional counts into an already complicated case with little more than three weeks of notice. If the entire set of allegations in the now consolidated cases is to be tried, it will entail over fifty witnesses and a substantial amount of documentary evidence.

3. Besides objectively needing more time to properly prepare its case and summon witnesses, in order to make the litigation of these cases somewhat manageable it is obviously imperative to either explore the possibility of settling some of its contentions or at least come to a meaningful and comprehensible stipulation eliminating the need to present a series of witnesses and documentary evidence.

4. The attempts to do so in regards to the MTS cases, however, were made difficult by a series of events that ultimately culminated in the International Longshoremen Association placing the Charging Party in Trusteeship. From the moment of the Trusteeship forward, any attempts to come to a settlement or to reach suitable and material stipulations were at all impeded by the recalcitrant former officers of the Charging Party who, as the Regional Director just summarized in the attached RC Decision, continue to this day holding themselves as the representative of the bargaining unit and have refused to surround the building and official records of the Local to the Trustee. **Under these circumstances, the task of discussing the possibility of settlement or of entering into meaningful and substantial stipulations of the MTS cases in addition to the seven additional cases- now consolidated- within the remaining three weeks and 3 days before the Trial is simply impossible.**

1 Respondents have provided certain information about the cases to the Trustee of the Local 1901. Because of the nature of the NLRB's procedures, however, Respondents do not have all the information the Trustee needs to be informed.

5. In addition, the Trustee of the Charging Party cannot be prepared to fairly represent, advise and protect the interest of its members– to all of which he is entitled under the Rules– under the above circumstances in the next three weeks. Similarly, Respondents in the remaining three weeks left until the Hearing cannot engage in meaningful conversations with the Charging Party regarding the equivalent of a ten counts Complaint, review their preparation for the MTS case and prepare to litigate the seven additional counts– which include summoning of witnesses, preparation of evidence, translation of evidence and so forth.

6. Given the above, Respondents and the Charging Party ***jointly*** request a continuance of the Hearing ***of at least 30 days*** in order to engage in meaningful and substantial conversation toward either reaching settlement in all or some of the allegations or entering into stipulations that would facilitate the handling of these cases, and to properly and effectively prepare for the hearing if not all matters are to be settled.

7. The requested continuance is not unreasonable and is certainly tailored to the particular circumstances. As it could be remembered and had been noted on the record previously, simply reaching the settlement in the MTS cases that was ultimately rejected by the Board took several weeks of intense conversations and bargaining. Now, these conversations not only need to be renewed, but there are seven more issues to discuss at the same time that the Trustee is getting acquainted with the subjects. Thus, even if considered simply in terms of the additional time needed to allow meaningful bargaining, the requested time should be allowed. In addition, the requested time would run concurrently with the additional time to prepare that is certainly appropriate in view of the consolidated seven additional counts.

WHEREFORE it is respectfully requested that the present Motion be **GRANTED** and in its consequence that the hearing in the above referenced matter be continued for at least 30 additional days.

RESPECTFULLY SUBMITTED.

I hereby certify that on this same date I have notify a true and exact copy of this document to the General Counsel through Ms. Lilyvette Rodriguez Soto, Esq. at lilyvette.rodriguez@nlrb.gov and to the Charging Party c/o John D. Baker, Trustee, through his counsel of record Ms. Elizabeth Alexander, Esq. and Vanessa Marzan, Esq.

In San Juan, Puerto Rico on this 19th day of June 2015.

Attorneys for the Charging Party:

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